



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,069	07/29/2003	Shunpei Yamazaki	0553-0166.01	6156

7590 12/28/2004
Edward D. Manzo
Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Ste. 2850
Chicago, IL 60606

EXAMINER

ABRAHAM, FETSUM

ART UNIT	PAPER NUMBER
----------	--------------

2826

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,069

Applicant(s)

YAMAZAKI ET AL.

Examiner

Fetsum Abraham

Art Unit

2826

A

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-41 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 36-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

As a preliminary matter, this action is made in view of the phone message left by the applicant's representative on 12/7/04 to bring the examiner's attention to the previously registered preliminary amendment that cancelled claims 1-35. In light of this information, the election requirement imposed on the application has been withdrawn.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 36-38 are rejected under 35 U.S.C. 102(a) as being anticipated by Yamazaki et al (6,614,083).

As for claims 36-38, the application discloses a display device utilizing a field effect element for a switch formed by the following methods;

a) forming an active layer on a substrate and attaching gate insulation layer over it.

b) forming a laminated gate electrode and wiring comprising tungsten and tungsten nitride on the gate insulation layer (read on the gate structures in column 4, 20-28 and 62-66), the process of forming the gate structure being by method of sputtering (see column 4, last paragraph).

c) forming the overall gate structures of the TFTs in the patent by using resist masks and etching the undesired portions of the structures to pattern the same (see column 9, 45-50).

Art Unit: 2826

d) using a resist mask on the gate electrode and utilizing the composite structure composed of the mask and the gate electrode as the mask to implant and form the source/drain regions of the switch (see column 18, 24-40).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki in view of Noguchi et al (6,723,631).

As for claims 39,40, although nitrides are known alternate insulation materials in the art, Yamazaki may have omitted to disclose a nitride film formed by the claimed process. Noguchi et al, however, disclose a method of forming a nitride film by plasma in ammonia environment in the last paragraph of column 16 and the first few lines of column 17. Therefore, it would have been obvious to one skilled in the art to form the notoriously known interlayer on gate electrodes with a nitride film of the taught method since the method provides a stable and dependable nitride layer on semiconducting devices.

The contents of claims 41,42 have already been addressed in relation to Yamazaki.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to PN: 6,452,341.

Any inquiry concerning this communication or earlier communications from the

Art Unit: 2826

examiner should be directed to Fetsum Abraham whose telephone number is: 571-272-1911. The examiner can normally be reached on 8:00 - 18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on 571-272-1915.

Fetsum Abraham

12/9/04

